

EXHIBIT H



Subject: Fw: JAMES V. EXPERIAN: Draft Protective Order, Draft Scheduling Order, and Courtesy Copies of Reply Brief Attached

From: Joseph W Clark
Extension: 43697

04/24/2013 11:51 AM

To: lenbennett, Matt Erausquin
Cc: Daniel J. McLoon, Edward M Wenger

History: This message has been replied to.

Len,

Please find attached redlines for your review. (Please let me know if you can not access them.) In reviewing the redlines, you will note that we followed the two prior orders you reviewed and agreed to in the Dreher class action and the Pumphrey/Jones class action. Any alterations principally account for the caption, signature block, and other grammatical issues. Substantively, they are otherwise the same. I have not yet located any communications from you striking, editing, or modifying any of the provisions in this otherwise standard protective order--which would have alerted us to its use, or not, in this matter. Simply stated, we relied on a version you previously reviewed and agreed to in preparing the draft in this matter.

We can discuss the Scroggins agreement and your understanding of the same. In good faith, we have made one production and are working on our 26(a) disclosures. If there are deficiencies in the initial production relative to a prior agreement or understanding, please let me know. To the extent you believe that we have not honored the agreement in this case or prior cases, I regret that you did not so inform us. We would have worked then, as we will now, to get the issue resolved.

You have our draft protective order. Please send us your actual edits to the document so that we can review and input where there is agreement.

In closing, I expect that you will skillfully navigate this case to a discovery battle. I want to be clear that we are committed to the meet and confer process and a balanced resolution of our differences.

Thanks.

Joe

Joseph W. Clark
Jones Day
51 Louisiana Avenue, N.W.
Washington, D.C. 20001-2113

Direct: (202) 879-3697
Facsimile: (202) 626-1700
Email: jwclark@jonesday.com

----- Forwarded by Joseph W Clark/JonesDay on 04/24/2013 11:20 AM -----

From: Edward M Wenger/JonesDay
To: Joseph W Clark/JonesDay
Date: 04/24/2013 10:54 AM
Subject: Fw: JAMES V. EXPERIAN: Draft Protective Order, Draft Scheduling Order, and Courtesy Copies of Reply Brief Attached

Joe,

Please see the attached redlines. Thanks.

Ed



WAI_3125207_1_Change-Pro Redline - WAI-3122248-v3 and Experian __ Pumphrey_Jones Protective Order.DOC



WAI_3125206_1_Change-Pro Redline - WAI-3122248-v3 and Dreher__ Protective Order.DOCX



Edward M. Wenger • Associate

51 Louisiana Ave. NW • Washington, DC 20001

DIRECT 202.879.3466 • **FAX** 202.626.1700 • emwenger@jonesday.com

----- Forwarded by Edward M Wenger/JonesDay on 04/24/2013 10:53 AM -----

From: Leonard Bennett <lenbennett@clalegal.com>
To: Edward M Wenger <emwenger@jonesday.com>
Cc: Matt Erausquin <matt@clalegal.com>, Joseph W Clark <jwclark@JonesDay.com>, Joseph Graziano III <jgraziano@jonesday.com>, "Daniel J. McLoon" <djmcloon@JonesDay.com>
Date: 04/23/2013 07:31 PM
Subject: Re: JAMES V. EXPERIAN: Draft Protective Order, Draft Scheduling Order, and Courtesy Copies of Reply Brief Attached

Counsel:

We do not believe that a Blanket Protective Order is appropriate in this case. We understand your position that certain documents may be critical trade secrets and we will quickly meet and confer with you regarding each category or specific set of documents as needed.

Our concerns are based upon Experian's historical overuse of POs in this state and others. Further, you have not even honored the previous Scroogins agreement regarding Experian's 26a1 production to take place in all of our firm's cases. Not in this case and not in others. (Recall that that agreement was to resolve these PO fights once and for all after Judge Payne harshly chastised the two sides for the use of just such a Blanket PO).

As a further note - you altered what had been our standard PO, did so discretely and did not provide a redline. I assume by accident.

Len

On Apr 23, 2013, at 12:22 PM, Edward M Wenger wrote:

Len and Matt,

Please find attached draft of the amended scheduling order. We are also attaching a draft protective order---which we initially circulated a few weeks back---and courtesy copies of the reply that was filed yesterday.

Please let me know if you have any questions.

Best,

-Ed

Draft Scheduling Order

Draft Protective Order

Courtesy Copies of Reply, with Exhibits

Edward M. Wenger • Associate

<ATT00001.gif <ATT00002.gif
> 51 Louisiana Ave. NW • Washington, DC 20001
DIRECT 202.879.3466 • FAX 202.626.1700 • emwenger@jonesday.com

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